



PATENT

#38
B. Wehler
3/5/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN APPLICATION OF: Gough *et al.*

APPLICATION No.: 08/963,239

FILED: November 3, 1997

FOR: **MULTIPLE ANTENNA ABLATION APPARATUS AND METHOD**

EXAMINER: PEFFLEY, M.

ART UNIT: 3739

CONFIRMATION No: 9828

Terminal Disclaimer

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Rita Medical Systems, Inc., Assignee of

- ☐ an undivided share of the entire right, title, and interest
- ☒ the entire right, title and interest

in the above-identified patent application by virtue of an Assignment recorded in the U.S. Patent and Trademark Office at Reel 9087, Frame 0481, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 USC §154 to §156 and §173, as presently shortened by any terminal disclaimer, of

U.S. Patent No. 5,728,143 issued on March 17, 1998.

The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above-listed patents and/or patent applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC §154 to §156 and §173 of the above-listed patents and/or applications, as presently shortened by any terminal disclaimer, in the

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event that said patent(s)/application(s) later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

1. Authority of Undersigned


The undersigned is an attorney or agent of record.

2. Fee Payment

- ☒ A check including the Terminal Disclaimer fee under 37 CFR 1.20 is enclosed:
- ☐ Large entity (\$110.00)
- ☒ Small entity (\$55.00)
- ☒ Please charge any underpayment, or credit any overpayment, of fees due to Deposit Account No. 50-2207.

Respectfully submitted,
Perkins Coie LLP

Date: 2/21/03


Jacqueline F. Mahoney
Registration No. 48,390

Correspondence Address:

Customer No. 22918
(650) 838-4410